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PATENT

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Roxanne L. Kelly

Name of Person Mailing Paper or Fee

Signature of Person Mailing Paper or Fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Pickar, J.

Serial No.: 09/808,878

Confirmation No.: 5270

Filed: March 15, 2001

Examiner: Bahar

For: Hormone Replacement Therapy

Art Unit: 1617

Assistant Commissioner for Patent
Washington, D.C. 20231

AMENDMENT UNDER RULE 111

Sir:

In the Claims:

Please **add** the following new claim:

Claim 69. The method according to claim 10, wherein the daily dosage of conjugated equine estrogens, USP is about 0.45 mg.

Remarks:

Claims 1-68 are in the application. Claims 7-14 stand rejected and Claims 1-6 and 15-68 are withdrawn from consideration for covering non-elected subject matter. New Claim 69 is being added and reads on the elected subject matter. After entry of this response, Claims 1-69 will remain in the application with Claims 1-6, and 15-68 being withdrawn from consideration.

Restriction Requirement

Claims 1-68 are subject to a restriction requirement in which the applicants were required to select among eleven restriction groups based on method of use. The applicants were also required to elect a single species (disorder) within the elected group for examination. In a telephonic conversation with the Examiner on August 27, 2001, the applicant elected restriction Group II (treatment or inhibition of vasomotor symptoms; Claims 7-14) and elected hot flushes as the species for examination. The applicant hereby confirms this election, and reserves his right to

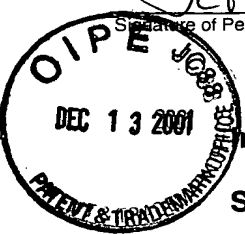
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12-20-01

1617

Docket No: AM100226
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re of Application of: James H. Pickar
Serial No.: 09/808,878 Group Art No.: 1617
Filed: March 15, 2001 Examiner: M. Bahar
For: Hormone Replacement Therapy
Confirmation No.: 5270
Customer Number: 25291

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

1. Enclosed please find the following documents for the above-identified application:

Response to Office Action mailed on September 13, 2001.

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET302329027US addressed to the Commissioner for Patents, Washington, DC 20231.

December 13, 2001
Date

Roxanne L. Kelly
Roxanne L. Kelly

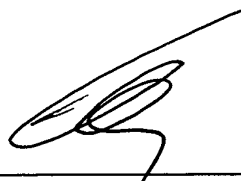
2. Fee calculation

| CLAIMS AS AMENDED | | | | | |
|-------------------------------|--|--------------------------------------|-------------------------------|-----------------------------|--------------------------|
| (1) FOR | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) HIGHEST NUMBER PAID FOR | (4) NUMBER EXTRA x RATE | | (5) ADDITIONAL FEE |
| TOTAL CLAIMS | 69 | 68 | 1 | x \$ 18.00 | 18.00 |
| INDEPENDENT CLAIMS | 12 | 12 | 0 | x \$ 84.00 | 0.00 |
| MULTIPLE DEPENDENCY FEE | | | | \$ 280.00 | |
| | | | | Total Amendment Fee: | \$18.00 |

☒ Please charge American Home Products Corporation Deposit Account No. 01-1425 in the amount of \$18.00.

The Commissioner is hereby authorized to charge any additional fees required by this paper, including the enclosed documents, and during the entire pendency of this application and to credit any excess amounts paid to Deposit Account No. 01-1425. A copy of this letter is enclosed for use by the Deposit Account Branch.

Respectfully submitted,



Arnold S. Milowsky/
Attorney for Applicants
Reg. No. 35,288

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